

Appl. No. 09/605,145
Amdt. Dated 6/30/06
Reply to Office Action of 1/4/06

Remarks & Arguments

In the Office Action, the Examiner noted that Claims 12-20 and 31-51 are pending in the application, and that Claims 39-51 are rejected. By this amendment, Claims 39-51 have been canceled without prejudice, and Claims 52-65 have been added. Thus, Claims 12-20, 31-38 and 52-65 are pending in the application. The new claims do not add new matter to the application. The Examiner's rejections are traversed below.

Allowed Claims

The Applicants thank the Examiner for indicating that Claims 12-20 and 31-38 are allowable.

Rejection Under 35 U.S.C. 101

New Claim 52-65 include the element of a radio frequency signal field. In view of the rejection of Claims 39-51, Applicants respectfully assert that "a radio frequency signal field" is tangible. A radio frequency signal field can be physically measured. In addition, the element of "a radio frequency signal field" is acted upon by the other elements recited in Claims 52-65 to provide a tangible result. In particular, the radio frequency signal field energizes the radio frequency identification integrated circuit and as a result the radio frequency identification integrated circuit automatically transmitting a security code when located within the radio

frequency signal field. Accordingly, Claim 52-65 are directed to statutory subject matter.

Therefore, Applicants request that Claims 52-65 be allowed.

Rejections Under 35 U.S.C. 103

The Examiner, with regard to Claim 39, points out that Hall (5,898,831) teaches that “Personal device 121 transmits car keys (electronic codes unique to car 191) to hardware 135 or 21 in car 191.” However, Applicants note that Hall further teaches that a communication session is first established between the personal device 121 and the car 191. In particular, Hall teaches a “sequence 190 of data exchange messages between another set of devices 121, 191” and “personal device 121 transmits interaction request 192. Car 191 transmits acknowledgment 194 back to personal device 121 via hardware 135, 21” before the “electronic codes” are transmitted to the car and the doors are unlocked (col. 12, lines 19-34). Thus, in accordance with Hall’s disclosure, the personal device will only broadcast the electronic codes if the communication session is established.

Similarly, Casden teaches that a unique permutation of tag codes are transmitted in response to physical activation by a user of each of a plurality of keys. In particular, Casden teaches that “if the remote programmer unit 18 is placed in this condition within the sensing field of the reader unit 10, the programmer unit will not respond to the reader’s sensing field. If, however any one of the keys on the keypad is pressed, closing one of the switches S1-S16, the corresponding one of the IC1-IC16 will have both of its active terminals operatively connected across the antenna tank circuit. In this condition, the operative IC will be powered up by energy

inductively coupled from the reader to the antenna coil L1, and will transmit its unique tag code to the reader” (col. 5, lines 26-36). Thus, in accordance with Casden’s disclosure, the remote programmer will only transmit a tag code if a user presses one of the keys on the keypads.

In contrast, Claim 52 recites “an radio frequency identification integrated circuit ... that automatically broadcasts a security code in response to being located within a radio frequency signal field, wherein said security code is used to authorize access to an area and said radio frequency identification integrated circuit is energized by said radio frequency signal field.” Accordingly, both Hall and Casden separately teach away from the limitations recited in Claim 52. Furthermore, if Hall and Casden are combined they teach that a communication session must first be established between the portable computing device and a security reader in response to the portable computing device being located with an RF signal field generated by the security reader. Once a communication session is established the security code is only transmitted in response to one or more of a plurality of keys being depressed. Thus, the combination of Hall and Casden also teaches away from the limitations recited in Claim 52.

For each of the reasons set forth above, Applicants respectfully submit that Claim 52 is patentable over Hall, Casden and the combination thereof. Accordingly, Applicants request that Claim 52 be allowed.

Claims 53-59 are allowable by virtue of their dependency on respective base Claim 52, as well as the additional elements they recite. Accordingly, Applicants respectfully request that Claims 53-59 also be allowed.

The Examiner, with regard to Claim 46, points out that Hall (5,898,831) teaches that “Personal device 121 transmits car keys (electronic codes unique to car 191) to hardware 135 or 21 in car 191.” However, Applicants note that Hall further teaches that a communication session is first established between the personal device 121 and the car 191. In particular, Hall teaches a “sequence 190 of data exchange messages between another set of devices 121, 191” and “personal device 121 transmits interaction request 192. Car 191 transmits acknowledgment 194 back to personal device 121 via hardware 135, 21” before the “electronic codes” are transmitted to the car and the doors are unlocked (col. 12, lines 19-34). Thus, in accordance with Hall’s disclosure, the personal device will only broadcast the electronic codes if the communication session is established.

Similarly, Casden teaches that a unique permutation of tag codes are transmitted in response to physical activation, by a user, of each of a plurality of keys. In particular, Casden teaches that “if the remote programmer unit 18 is placed in this condition within the sensing field of the reader unit 10, the programmer unit will not respond to the reader’s sensing field. If, however any one of the keys on the keypad is pressed, closing one of the switches S1-S16, the corresponding one of the IC1-IC16 will have both of its active terminals operatively connected across the antenna tank circuit. In this condition, the operative IC will be powered up by energy inductively coupled from the reader to the antenna coil L1, and will transmit its unique tag code to the reader” (col. 5, lines 26-36). Thus, in accordance with Casden’s disclosure, the remote programmer will only transmit a tag code if a user presses one of the keys on the keypads.

In contrast, Claim 60 recites “automatically transmitting a security code from a radio frequency identification integrated circuit coupled to a portable computing device when the radio frequency identification integrated circuit is located within a radio frequency signal field, wherein said radio frequency signal field energizes said radio frequency identification integrated circuit.” Accordingly, both Hall and Casden separately teach away from the limitations recited in Claim 60. Furthermore, if Hall and Casden are combined they teach that a communication session must first be established between the portable computing device and a security reader in response to the portable computing device being located with an RF signal field generated by the security reader. Once a communication session is established the security code is only transmitted in response to one or more of a plurality of keys being depressed. Thus, the combination of Hall and Casden also teaches away from the limitations recited in Claim 60.

For each of the reasons set forth above, Applicants respectfully submit that Claim 60 is patentable over Hall, Casden and the combination thereof. Accordingly, Applicants request that Claim 60 be allowed.

Claims 61-65 are allowable by virtue of their dependency on respective base Claim 60, as well as the additional elements they recite. Accordingly, Applicants respectfully request that Claims 53-59 also be allowed.

Conclusion

For all the reasons advanced above, Applicants respectfully submit that the present application is in condition for allowance and that action is earnestly solicited. The Examiner is

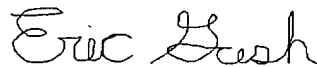
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invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

The Commissioner is hereby authorized to charge any additional fees, which may be required for this amendment, or credit any overpayment, to Deposit Account 23-0085. In the event that an extension of time is required, or may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account 23-0085.

Respectfully submitted,

WAGNER, MURABITO & HAO, LLP

A handwritten signature in cursive script, reading "Eric Gash", positioned above a horizontal line.

Dated: June 30, 2006

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